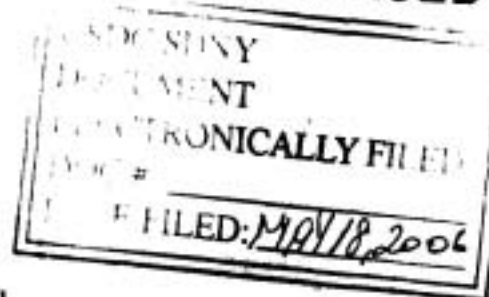




U.S. Department of Justice

United States Attorney  
Southern District of New YorkThe Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

May 18, 2006

**MEMO ENDORSED****BY FAX**The Honorable Kenneth M. Karas  
United States District Judge  
United States Courthouse  
500 Pearl Street  
New York, NY 10007Re: United States v. Timothy Montgomery et al.  
S4 05 Cr. 1067 (KMK)

Dear Judge Karas:

At the time of defendant Montgomery's arraignment, held on May 3, 2006, the Court ordered, among other conditions of release, that the defendant be released upon a \$150,000 personal recognizance bond, to be co-signed by three financially responsible persons on or before May 10, 2006. To date, only two co-signers have contacted the Government; only one has been approved (the defendant's sister was rejected because, among other reasons, she is unemployed and has negative bank account balances), and no co-signers have signed the bond. I have contacted the defendant's attorney, Mr. McFarland, on numerous occasions to advise him that I would seek a conference with the Court in the event of his client's continued non-compliance with the conditions of his release. Accordingly, the Government respectfully requests that Your Honor schedule a conference (telephonically, assuming Mr. McFarland can not appear in person) at Your Honor's earliest convenience.

The Court directs that the parties ~~must~~ appear (by telephone, if necessary) for a conference to discuss Mr. Montgomery's bail on May 19, 2006 at 10:15 AM.

Respectfully submitted,  
MICHAEL J. GARCIA  
United States Attorney  
Southern District of New York

By:

  
E. Danya Perry  
Assistant United States Attorney  
(212) 637-2434

cc: Robert McFarland, Esq.

SO ORDERED

  
KENNETH M. KARAS U.S.D.J.  
5/18/06